

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

May 10, 2002

Date

Krisse Simoni

Name

Signature

In re: application of:

Downing

COPY OF PAPERS
ORIGINALLY FILED

Serial No.:

09/881,045

Filed:

June 15, 2001

Title:

APPARATUSES AND METHODS FOR PERFORMING
MINIMALLY INVASIVE DIAGNOSTIC AND SURGICAL
PROCEDURES INSIDE OF A BEATING HEART

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

BOX MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

Transmitted herewith for completing the filing of the above-captioned patent application is:

1. Executed Declaration/Power of Attorney (3 sheets);
2. One set of formal drawings (21 sheets);
3. Return copy of the Notice to File Missing Parts of Non-provisional Application; and
4. Return postcard acknowledging receipt of the above items.

A *Petition for Revival of Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)* is attached which authorizes payment in the amount of \$1681 to be charged to Foley & Lardner's Deposit Account in connection with this communication. This amount consists of: \$980 for five (5) extensions of time for a small entity to respond to the Notice of Missing Parts; \$65 surcharge for a small entity to respond to the Notice of Missing Parts; \$636 patent application filing fees for a small entity.

05/28/2002 AWONDAF1 00000003 061450 09881045

06 FC:228 980.00 CH

Date:

May 10, 2002

Respectfully submitted,

Michael D. Rechten

Registration No. 30,128

FOLEY & LARDNER

330 North Wabash Avenue, Suite 3300

Chicago, IL 60611

(312) 755-2578



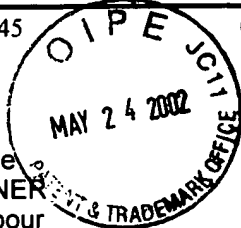
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/881,045	06/15/2001	Stephen W. Downing	034495-0103

Mary Michelle Kile
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, DC 20007-5109



CONFIRMATION NO. 5171

FORMALITIES LETTER



OC000000006458443

Date Mailed: 08/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$562.
 - \$162 for 9 total claims over 20.
 - \$400 for 5 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1402.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

05/28/2002 AWONDAF1 00000003 061450 09881045

01 FC:201 370.00 CH
02 FC:205 65.00 CH
03 FC:203 117.00 CH
04 FC:202 84.00 CH

RECEIVED

MAY 29 2002

OFFICE OF PETITIONS

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE